

Board of Dental Examiners of Alabama



Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
January 25, 2001**

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Functional and Organizational Analysis of the Board of Dental Examiners of Alabama

Sources of Information

- Representatives of the Board of Dental Examiners of Alabama
 - James S. Ward, Legal Counsel
 - Dianne Pool, Administrative Secretary
- Code of Alabama 1975 § 34-9-1 to § 34-9-29; § 34-9-40 to § 34-9-47; § 34-9-60 to § 34-9-65
- Alabama Administrative Code Chapters 270-X-1.01 to 270-X-5-0.6
- Alabama Government Manual (1994)

Agency Organization

The Board of Dental Examiners of Alabama (hereafter cited as “the board”) is made up of five dentists elected by the registered dentists in the state of Alabama and one dental hygiene advisor elected by the dental hygienists in the state of Alabama. The board members serve five-year terms; the dental hygiene advisor serves a five-year term and advises the board on matters relating to dental hygiene. The advisor can only vote at board meetings on matters relating to dental hygiene. The board must meet once a year to conduct dental and dental hygiene examinations but usually meets every four to six weeks to conduct disciplinary hearings and other business. An administrative secretary and part-time secretary are employed by the board to carry out the routine operations of the board. To enforce the state’s dental laws and regulations, the board hires one investigator to investigate alleged violations and a private attorney to advise and assist in carrying out and enforcing the provisions of the Alabama Dental Practice Act.

Agency Function and Subfunctions

The mandated function of the Board of Dental Examiners of Alabama is to protect the public of the State of Alabama in matters relating to dentistry through, among other things, licensing applicants who seek to practice dentistry or dental hygiene and disciplining dentists and dental hygienists who violate the provisions of the Alabama Dental Practice Act. It is one of the agencies responsible for performing the regulatory function of Alabama government.

In the performance of its mandated functions, the board may engage in the following subfunctions:

- **Licensing, Registering, and Supervising Dentists and Dental Hygienists in the State.** The licensure process encompasses the screening of applicants’ qualifications for licensure, conducting both written and clinical examinations, and registration of those applicants who pass the examination. Annual re-registration is accomplished by the payment of a fee and the satisfaction of a continuing education requirement. The board, by rule, sets standards and requirements for licensure, not

inconsistent with the provisions of the Alabama Dental Practice Act, and issues license certificates.

- **Approving and Monitoring the Use of Anesthesia by Dentists.** The board formulates and implements rules and regulations governing the use of general anesthesia and parenteral sedation by licensed dentists. Activities related to this subfunction include the application process used by dentists to apply for permits to use general anesthesia or parenteral sedation; on-site inspections of the dental facilities, equipment and personnel; the issuance of permits; and annual renewals of permits
- **Investigating Possible Violations of the State's Dental Laws and Instituting Legal Proceedings in Appropriate Cases.** The board is authorized to employ investigators who comply with the Peace Officers' Minimum Standards and Training Act to exercise the powers of a peace officer in investigating alleged violations of the State's dental laws or drug and controlled substances laws. The board may institute before the board or the proper court appropriate proceedings regarding violations.
- **Conducting Hearings Prior to Suspension or Revocation of a License or Permit.** The board conducts hearings or proceedings to impose disciplinary actions on licensed dentists or dental hygienists for violation of the Alabama Dental Practice Act. Penalties which may be imposed are set forth in the Code of Alabama 1975 § 34-9-18 (b) which includes revocation, suspension, probation, etc.
- **Preparing and Publishing Rules and Other Periodic Reports.** The board is obligated to publish regularly the rules and regulations promulgated by the board and a roster of all persons licensed to practice either as dentists or dental hygienists. In addition, the board also prepares an annual report and a semi-annual newsletter; both contain valuable information on the board's major activities and accomplishments.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency including:

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, lobbying, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget

through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Human Resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing Properties, Facilities, and Resources: Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing security for property owned by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Board of Dental Examiners of Alabama

Agency Record Keeping System

The Board of Dental Examiners' record keeping system relies on both paper and computer records. The board's PC-based system, made up of Colorado 250 MB, is used by the staff to maintain a database for licensees, support accounting transactions, and perform word processing. Electronic files are backed up nightly on magnetic tapes and all back-up tapes are taken home by the administrative secretary each evening for security reasons.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the board: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met. Some of the temporary records created by the board are discussed below:

- **Dentist and Dental Hygienist Licensure Files.** These records are created by the board to document the qualifications of dentists/ dental hygienists licensed by the board and ongoing information relative to licensees. The board staff may need to refer to these files over the licensee's entire career.
- **Index Cards of Licensees.** These cards function as a ready reference to the licensees and should be retained as long as the Dentist and Dental Hygienist Licensure Files are maintained.
- **Dentists and Hygienists Licensed in the State of Alabama (Roster).** Mandated by the Code of Alabama 1975 § 34-9-44, this list provides names, birth dates, addresses, educational background, and licensing dates of licensed dentists and dental hygienists. The roster is maintained in the board's electronic database, and a copy is generated every January for distribution to all licensees.
- **Alabama Dental Hygienist Program Dropout Files.** These files document individuals who had enrolled in the Dental Hygienist Program but failed to complete the program requirements. The board refers to these files from time-to- time as some of the dropouts may re-enroll into the program.
- **Applications for General Anesthesia/Parenteral Sedation Use Permits.** These files document the board's efforts to control the use of anesthesia by dentists.
- **Files involving Complaints, Discipline and Records of Proceedings.** These files

contain information concerning complaints and/or the investigations of alleged violations of the Alabama Dental Practice Act and any enforcement or other action taken by the board. The notices of hearings and Orders of the Board, usually maintained as part of this group of records, are open to the public. The Orders of the Board, which serve as the final outcome of the investigation and hearing process, are also preserved in a summarized version in the meeting minutes of the Board of Dental Examiners which are recommended as permanent records.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Licensing, Registering, and Supervising Dentists and Dental Hygienists in the State

- **Meeting Minutes of the Board of Dental Examiners of Alabama.** Mandated by the Code of Alabama 1975 § 34-9-44, these meeting minutes are considered the core documentation of the board's major functions with regard to licensure and enforcement activities.

Preparing and Publishing Rules and Other Periodic Reports

- **Annual Reports.** Although this report does not exist in a published version, its contents provide valuable information on the board's actions during the previous year. In addition to statistical and narrative reports on programmatic activities, a financial statement and a necrology of deceased dentists/dental hygienists is also attached as a part of the annual report.
- **Newsletters of the Board of Dental Examiners of Alabama.** In an attempt to keep its members informed about the activities of the board, a newsletter is prepared and released to all licensees by the board on a semi-annual basis. The newsletter contains messages or reports from the board's president, administrative secretary, and hearing officer. Information found in the newsletter ranges from how to develop a hiring policy for a dentist clinic to case studies on violation of the Alabama Dental Practice Act. These newsletters are a valuable source of violations information to supplement the board's annual reports.

Permanent Records List Board of Dental Examiners of Alabama

Licensing, Registering, and Supervising Dentists and Dental Hygienists in the State

1. Meeting Minutes of the Board

Preparing and Publishing Rules and Other Periodic Reports

1. Annual Reports
2. Newsletters

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Board of Dental Examiners of Alabama Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Board of Dental Examiners of Alabama. The RDA lists records created and maintained by the Board of Dental Examiners of Alabama in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under Code of Alabama 1975 § 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Board of Dental Examiners of Alabama records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept.
- Electronic mail is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and

have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Board of Dental Examiners of Alabama and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The board may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Licensing, Registering, and Supervising Dentists and Dental Hygienists in the State

MEETING MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

Recordings of Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Roster of Dentists and Hygienists Licensed in the State of Alabama

Disposition: Temporary Record. Retain for useful life.

Dentist and Dental Hygienist Licensure Files

Disposition: Temporary Record. Retain for useful life.

Index of Licensees

Disposition: Temporary Record. Retain for useful life.

Alabama Dental Hygienist Program Dropout Files

Disposition: Temporary Record. Retain for useful life.

Dentist/Dental Hygienist License Renewal Records

Disposition: Temporary Record. Retain for 5 years.

Approving and Monitoring the Use of Anesthesia by Dentists

Applications for General Anesthesia/Parenteral Sedation Use Permits

Disposition: Temporary Record. Retain for useful life.

Annual Renewal of Permit Forms

Disposition: Temporary Record. Retain for 5 years.

Investigating Possible Violations of the State's Dental Laws and Instituting Legal Proceedings in Appropriate Cases**Files involving Complaints, Discipline and Records of Proceedings**

Disposition: Temporary Record. Retain for useful life.

Conducting Hearings Prior to Suspension or Revocation of a License or Permit

Documentation of this subfunction, in the form of the Orders of the Board, is available in the files involving Complaints, Discipline and Records of Proceedings. Information is also summarized in the Index of Licensees and the Meeting Minutes of the Board.

Preparing and Publishing Rules and Other Periodic Reports**ANNUAL REPORTS**

Disposition: PERMANENT RECORD.

NEWSLETTERS

Disposition: PERMANENT RECORD.

Administering Internal Operations: Managing the Agency**Routine Correspondence**

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's approved RDA (copies of transmittal forms to the Archives and the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

Computer systems documentation (hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, ledgers, and funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business either within or outside the state, and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500

Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.

- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Attorney Billing Files

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the last transaction occurred.

Administering Internal Operations: Managing Human Resources

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after end of year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Employee Flexible Benefits Plan Files

- a. General information

Disposition: Temporary Record. Retain until superseded.

- b. Other (applications, correspondence)

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

State Employee Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Equal Employment Opportunity Commission Case Files

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Properties, Facilities, and Resources**SEMIANNUAL INVENTORY LISTS**

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Transfer of State Property Forms (SD-1) (Agency copies)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Real Property Leasing/Renting Records

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Facilities/Building Security Records (including visitor logs)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Building Maintenance Work Orders

Disposition: Temporary Record. Retain 1 year.

Approval of Records Disposition Authority (RDA)

By signing this agreement, the Board of Dental Examiners of Alabama its responsibilities in the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Board of Dental Examiners of Alabama will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the institute, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, submitting an annual report on records management activities to the State Records Commission in January of each year, and ensuring the regular implementation of the institute's approved RDA.
- Permanent records in the Board of Dental Examiners of Alabama's custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The board should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the board chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Board of Dental Examiners of Alabama agrees to allow the staff of the State Records Commission or the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the board and to inspect records destruction documentation. Government Records Division archivists are available to train the board staff in RDA implementation and otherwise assist the board in implementing its records management program.

The State Records Commission adopted this revision to the Records Disposition Authority on January 25, 2001.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

Joye D. Wright, President
Board of Dental Examiners of Alabama

Date